

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6578 of 2006

Dated: 22.01.2007

Between:

Smt. Pyla Varalakshmi and others.

..... PETITIONERS

AND

The Government of Andhra Pradesh, rep. by its Secretary,
Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.6578 of 2006

ORDER:

The petitioners are statedly cultivating tenants of agricultural lands owned by third respondent, namely, Sri RVBS Choultry, Kathipudi Village, Sankhavaram Mandal, East Godavari District. It is their case that they were declared as landless poor persons for the purpose of Section 82 of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 (the Act, for brevity) and are paying Maktha/rent regularly. However, by impugned notice dated 23.02.2006, third respondent enhanced the rent while not changing or altering the rent payable by other ryots. Alleging discrimination, the petitioners filed instant writ petition.

The question raised is one of fact. Whether third respondent uniformly enhanced rentals/maktha in respect of all the lands under the occupation of cultivating tenants or not is a matter certainly which can be verified by the appropriate revisional authority. The petitioners have an effective remedy of filing a revision under Section 92 of the Act and they are given liberty to do so. In proceedings under Article 226 of the Constitution of India, the question raised cannot be decided.

Therefore, giving liberty to prefer revision petition to the appropriate authority, the writ petition is disposed of. No costs.

(V.V.S.RAO, J)

22nd January, 2007

ghn